

Message

From: Mears, Mary [Mears.Mary@epa.gov]
Sent: 8/23/2022 11:47:43 AM
To: Kluesner, Dave [kluesner.dave@epa.gov]; Glenn, Olivia [Glenn.Olivia@epa.gov]; Garcia, Lisa [Garcia.Lisa@epa.gov]; Bain, Zeno [Bain.Zeno@epa.gov]; Mugdan, Walter [Mugdan.Walter@epa.gov]; Guerrero, Carmen [guerrero.carmen@epa.gov]; Simon, Paul [Simon.Paul@epa.gov]; Ruvo, Richard [Ruvo.Richard@epa.gov]; Evangelista, Pat [Evangelista.Pat@epa.gov]; McEathron, Kimberly [McEathron.Kimberly@epa.gov]; Benjamin, Arielle [Benjamin.Arielle@epa.gov]; Parker, Philip [Parker.Philip@epa.gov]; Mehta-Sampath, Ameesha [Mehta-Sampath.Ameesha@epa.gov]
Subject: RE: From Elizabeth Neville / St. Croix Environmental Association - St. Croix Refinery

Hi David,

Her first request is about the "petition" we sent PHRT – which I believe is the reporter's odd way of referencing the March 22 letter, which we likely did share and which is posted to our web [here](#).

I will await further guidance, but if folks think it would be helpful, I can flag this email for OPA leadership (Lindsay Hamilton and Tim Carroll). I let Lindsay know verbally yesterday that things were starting to be more active with this facility.

Mary Mears
Public Affairs Director
US EPA Region 2
Mobile: 646-369-0077
Desk: 212 637 3673
Mears.mary@epa.gov

From: Kluesner, Dave <kluesner.dave@epa.gov>
Sent: Monday, August 22, 2022 6:35 PM
To: Glenn, Olivia <Glenn.Olivia@epa.gov>; Garcia, Lisa <Garcia.Lisa@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Guerrero, Carmen <guerrero.carmen@epa.gov>; Simon, Paul <Simon.Paul@epa.gov>; Ruvo, Richard <Ruvo.Richard@epa.gov>; Evangelista, Pat <Evangelista.Pat@epa.gov>; Mears, Mary <Mears.Mary@epa.gov>; McEathron, Kimberly <McEathron.Kimberly@epa.gov>; Benjamin, Arielle <Benjamin.Arielle@epa.gov>; Parker, Philip <Parker.Philip@epa.gov>; Mehta-Sampath, Ameesha <Mehta-Sampath.Ameesha@epa.gov>
Subject: FYI: From Elizabeth Neville / St. Croix Environmental Association - St. Croix Refinery
Importance: High

Several of us received the below email from Elizabeth Neville to Administrator Regan. I just shared with Elizabeth the statement that PAO sent to the VI Daily News.

David W. Kluesner



U.S. Environmental Protection Agency, Northeast & Caribbean Region
Director of Strategic Programs
Office of the Regional Administrator
290 Broadway, 26th Floor
New York, NY 10007
212.637.3653 (Office)

347.330.9439 (Cell)

From: Elizabeth Neville <elizabeth@neville.com>

Sent: Monday, August 22, 2022 5:31 PM

To: Regan, Michael <Regan.Michael@epa.gov>

Cc: Garcia, Lisa <Garcia.Lisa@epa.gov>; Mugdan, Walter <Mugdan.Walter@epa.gov>; Kluesner, Dave <kluesner.dave@epa.gov>; Bain, Zeno <Bain.Zeno@epa.gov>; Tejada, Matthew <Tejada.Matthew@epa.gov>; Carbonell, Tomas <Carbonell.Tomas@epa.gov>; St. Croix Environmental Association <ivaliulis@stcxenvironmental.org>; Heather Croshaw [Ex. 6 Personal Privacy (PP)]; Kai A. Nielsen [Ex. 6 Personal Privacy (PP)]; Maranda Wood

[Ex. 6 Personal Privacy (PP)]; Sara Zuckerman [Ex. 6 Personal Privacy (PP)]; William.weeks@uvi.edu; Miyoko Sakashita <miyoko@biologicaldiversity.org>; jteelsimmonds@biologicaldiversity.org; Roumiantseva, Dina <droumiantseva@cooley.com>; Aaron Isherwood <aaron.isherwood@sierraclub.org> [Ex. 6 Personal Privacy (PP)]; John Walker <jwalke@nrdc.org>; edavis@nrdc.org; Lopez, Max <Mlopez@nrdc.org> [Ex. 6 Personal Privacy (PP)]; alcahn@vermontlaw.edu; Michael Harris <mrharris@vermontlaw.edu>; Jennifer Valiulis [Ex. 6 Personal Privacy (PP)]

Subject: St. Croix Refinery

Importance: High

Dear Administrator Regan,

I hope this message finds you well and that you are having a nice summer. On behalf of St. Croix Environmental Association and allied organizations, I write to express our appreciation for your stance on reopening the oil refinery located on St. Croix, as reported in this article: <https://www.bloomberg.com/news/articles/2022-07-29/epa-says-it-s-under-no-pressure-to-reopen-st-croix-refinery>. We have some concerns as the new owner has publicly expressed its intention to start refining on what appears to be a very quick timeline, and we are grateful that EPA is adhering to environmental justice principles in refusing to let facilities like this "cheat at the expense of the communities they are supposed to serve."

The article references a petition submitted to EPA by Port Hamilton Refining and Transportation; can you kindly share this petition with us at your earliest convenience? It is imperative that the community is fully apprised of this group's plan and intentions, especially given the last, disastrous restart attempt, the impacts of which are still being felt by the community. For example, my understanding is that there is still daily water distribution on-island as many residents impacted by the refinery's uncontrolled oil releases still have contaminated cisterns.

Additionally, I wanted to bring a recent, alarming issue to your attention. **This weekend, a fire broke out in a petroleum coke conveyor loading system at the refinery. My understanding is that effects from the fire, including and specifically noxious fumes, were felt by residents all the way to the West End of the island.** I have attached a photo taken by Jen Valiulis, Executive Director of St. Croix Environmental Association, from the very western tip of Sandy Point National Wildlife Refuge. The smoke at the refinery is highly visible in the photo, despite being approximately 10 miles away. Port Hamilton claims that the fire is under control and that the company has been in contact with EPA: <https://stcroixsource.com/2022/08/22/fire-under-control-at-st-croix-refinery-port-hamilton-says/>. Can you kindly confirm the extent with EPA has been involved in investigating and addressing this issue? This weekend's incident comes approximately two weeks after a smoldering coke pile was discovered at the refinery: https://stcroixsource.com/2022/08/08/smoldering-petroleum-coke-pile-detected-at-st-croix-refinery/?fbclid=IwAR1f193dZCXh29eXeK4m6kAH7-fyA_J3S7IXPONcxzn2ffFOY2FVeVcnLmE. We find it extremely concerning that Port Hamilton has not begun operating the refinery, yet negative environmental impacts are already being experienced by residents.

Thank you very much. I look forward to hearing from you soon.

Kind wishes,
Elizabeth Neville

Elizabeth Leigh Neville

Attorney at Law

The Neville Law Firm, LLC

(407) 765-2800

Elizabeth@Neville.com